

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
AUGUST 9, 2010
Commissioners Courtroom
Hamilton County Government and Judicial Center
One Hamilton County Square
Noblesville, Indiana

The Commissioners met in Executive Session in Conference Room 1A at 1:00 p.m. President Dillinger called the public session to order at 1:45 p.m. declaring a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Dillinger led the Pledge of Allegiance.

EXECUTIVE SESSION MEMORANDA

Approval of Executive Session Memoranda

Holt moved to approve the Executive Session Memoranda of August 9, 2010. Altman seconded. Motion carried unanimously,

MINUTES

Approval of Minutes

Altman moved to approve the minutes of July 26, 2010. Holt seconded. Motion carried unanimously.

PLAT APPROVAL

Rynearson Minor Subdivision

Mr. Dave Lucas recommended approval of the plat for Rynearson Minor Subdivision located on 276th Street East of US 31. Altman moved to approve. Holt seconded. Motion carried unanimously.

HIGHWAY BUSINESS

Acceptance of Bonds/Letters of Credit – Highway Department

Mr. Jim Neal requested acceptance of Bonds and Letters of Credit for the highway department. Altman moved to approve. Holt seconded. Motion carried unanimously.

- HCHD #B-10-0021 – Westchester Fire Insurance Company Right of Way Permit Bond and Bond Rider #K08438596 issued on behalf of Frontier North, Inc., in the sum of \$25,000 for work in Hamilton County. The bond shall remain in full effect until cancelled.
- HCHD #B-10-0022 – The American Institute of Architects Performance and Payment Bond #105420839 issued on behalf of Grady Brothers, Inc., in the sum of \$299,500 for Contract 10-1 Resurface of Various Roads in Adams, Jackson and Washington Townships. Bond to expire July 12, 2011.
- HCHD #B-10-0023 – Liberty Mutual Performance and Payment Bond #354-026-419 issued on behalf of Duncan Robertson, Inc., in the sum of \$419,362.82 for Hamilton County Small Structure #32072 to expire July 26, 2011.

Agreements/Supplements

Hoosier Heritage Port Authority Track Rehabilitation

Neal informed the Board he has not received the Interlocal Agreement from the Hoosier Heritage Port Authority (HHPA) for the track rehabilitation. Neal has assured INDOT (Indiana Department of Transportation) that we are moving ahead with this project. Neal reported that the hold up with the agreement may be that the HHPA recently changed attorney's. Altman moved that we approve the agreement subject to form and Commissioner Holt and herself be authorized to sign it upon completion. Holt seconded. Motion carried unanimously.

Road Closure Requests

Hinkle Road Closure

Neal requested permission to close Hinkle Road between Dartown Road and Dunbar Road for replacement of Small Structure #32072 – Hinkle Road over a Branch of Hinkle Creek for 70 calendar days with anticipated closure on or after August 23, 2010 and anticipated opening of November 1, 2010. The schools are aware of the closure. Holt so moved. Altman seconded. Motion carried unanimously.

96th Street Closure

Neal requested permission to close 96th Street from US 421/Michigan Road to Shelborne Road beginning on or after August 16, 2010 until no later than September 13, 2010. The closure is to accommodate replacement of a drainage culvert at Crooked Creek. Altman so moved. Holt seconded. Motion carried unanimously.

Acceptance of Right of Way

Hinkle Road Right of Way Dedication

Neal requested acceptance of right of way dedication from the Hamilton County Parks Department along Hinkle Road north of SR 38. Holt so moved. Altman seconded. Motion carried unanimously.

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Highway Safety Improvement Program Funding

Sign Upgrades

Mr. Brad Davis requested approval of a Highway Safety Improvement Program (HSIP) Systematic Project Application for warning, regulatory and guide sign upgrades throughout the Indianapolis Metropolitan Planning Area (MPA). Hamilton County is the lead agency for this cooperative application that includes Fishers, Carmel, Westfield, Noblesville and Cicero. Total estimated costs are \$1,344,000 (\$1,209,600 Federal, \$134,400 Local). Holt moved to approve. Altman seconded. Altman asked how will the monies be divided if the grant comes in less? Davis stated if we receive the funding we would prorate the amount of money being used. Motion carried unanimously.

206th Street & Overdorf Road Intersection

Davis requested approval of a HSIP Systematic Project Application to undertake an intersection safety improvement at the intersection of 206th Street and Overdorf Road. Funding will be requested for construction, right of way and construction inspection costs in the amount of \$718,500 (\$646,650 Federal, \$71,850 Local). Holt moved approval. Altman seconded. Motion carried unanimously.

Preemption Emergency Signal Systems

Davis requested approval of a HSIP Systematic Project Application for installation of a priority control system for emergency vehicles at nine (9) signalized intersections along 146th Street. The total cost estimate is \$71,300 (\$64,170 Federal, \$7,130 Local). Altman moved to approve. Holt seconded. Motion carried unanimously.

Signal Backplates

Davis requested approval of a HSIP Systematic Project Application for installation of 254 black signal backplates for 24 signalized intersections along 146th Street and Olio Road. Total cost estimate is \$40,250 (\$36,225 Federal, \$4,025 Local). Altman so moved. Holt seconded. Motion carried unanimously.

RR Crossing Warning Improvements

Davis requested approval of a HSIP Systematic Project Application to upgrade the passive warning signage at grade crossings along the Hoosier Heritage Port Authority rail line. Total cost estimate is \$18,975 (\$17,075, Federal, \$1,900 Local). Altman so moved. Holt seconded. Motion carried unanimously.

Rural Railroad Crossing Warning Improvement

Davis requested approval of a HSIP Systematic Project Application to upgrade warning signage at grade crossings along the HHPS rail line. Total cost estimate is \$3,795 (\$3,415 Federal, \$380 Local). These locations are outside of the MPA. Altman moved to approve. Holt seconded. Motion carried unanimously.

Rural Sign Upgrades

Davis requested approval of a HSIP Systematic Project Application to upgrade, via replacement, select regulatory, warning and guide signs throughout rural (outside the Indianapolis metropolitan planning area) Hamilton County. Total cost estimate is \$166,750 (\$150,075 Federal, \$16,675 Local). Altman so moved. Holt seconded. Motion carried unanimously.

Sustainable Communities Regional Planning Grant Program

Davis reported that Dan Stevens has responded to the Indianapolis Metropolitan Planning Organization (MPO) that Hamilton County will be a willing partner in the Sustainable Communities Regional Planning Grant Program, which is a regional application for 80/20 funding to either develop a regional plan or if we have a plan to implement a portion of the regional plan. Altman moved that Chuck Kiphart take the lead with working on this project as our initial point of contact for the county. Holt seconded. Motion carried unanimously.

Keep Noblesville Beautiful

Davis reported he was contacted by Lori Schwartz representing the Keep Noblesville Beautiful Group partnering with the Open Door Church as a group of volunteers that will be in the Riverwood neighborhood on September 11, 2010 cleaning up and assisting homeowners on different projects. Schwartz has asked if the highway staff can help with hauling away of debris, especially large brush. Davis recommended to her that it would be better if they would bring the chipper and chip the brush before it is hauled away. Davis asked if the Commissioners objected to the highway staff helping on this day, there would be some overtime involved. Altman asked if our staff would be operating the chipper? Davis replied yes. Altman so moved. Holt seconded. Motion carried unanimously.

WEATHER EQUIPMENT

WISH-TV Weather Equipment

Mr. Ken Brewer, WISH-TV, requested permission to install weather equipment on the new communications tower located on the east side of SR 37. Altman replied that we had asked for engineering specifications. Holt added we had asked if weight was an issue and we received a response that it was de minimus. Brewer stated it is, the camera would be under 20 pounds and the weather instruments would be mounted towards the base of the unit but the total collective weight would be under 20 pounds and the camera would be mounted at an elevation higher than 100 feet. Altman asked what is the weight of the cabling going up to the camera? Brewer responded it would be a basic Ethernet cable. Holt moved to approve. Altman seconded. Altman asked if we will have exclusive feed? Mr. David Bice, EMA Director, replied it is not exclusive but we have a direct line to the equipment that will give us real time data within the

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Emergency Operations Center (EOC). Altman asked if we can hook to the camera and have direct feed through this process? Bice replied we will have access to the video. Altman stated it needs to be in the agreement that they will provide direct access at no charge to the information you glean off the tower. Brewer stated the routing and camera will be on the county's system so there is no other outside equipment in terms of wiring that we provide, it is routed into your system. Howard clarified that Altman meant we would have non-exclusive access? Altman stated correct. Brewer stated everyone would have access, if other stations want to visit the WISH-TV web site they would have access to the images and data. Sheriff Carter asked what the timeline is for installation if the Board approves? Brewer replied as soon as possible, they would be ready in days or in a week. Altman asked if we have an agreement? Bice replied he was approached by Ken Brewer, they spoke with Benny Craig who asked that they speak with the ISS Department, he has not been given any paperwork. Carter stated he thought that document would be prepared by Mike Howard. Howard asked Brewer if they have forms? Brewer stated no. Altman stated we will need a Certificate of Insurance, etc. Carter stated the coordination of the tower move will be coordinated with this project and it will have to be coordinated with M&K. Altman recommended approving in terms of concept but not approve construction until all of the paperwork is in place. Holt amended his motion. Altman amended her second. Motion carried unanimously.

HAMILTON COUNTY WEB SITE

Proposed Changes to Hamilton County Web Site

Mr. Larry Stout stated the GIS Policy Committee has recommended adding three features to the county web site:

1. Search for parcels by owner name
2. Display the Assessor's sketch
3. Display sales disclosures

Having the GIS (Geographic Information System) online has reduced counter traffic and telephone calls in county offices. Making these features accessible to the public will further reduce traffic in county offices, especially the Assessor and Auditor offices. More counties are implementing all of these features and there are some non-county web sites that you can search by name within Hamilton County. Altman stated during the committee meeting the issue was raised about privacy issues and security with searching by name. Currently to search the county web site you would have to know the parcel number or the address. This would allow someone's name to be typed in and it would give all of the parcels this individual owns including addresses. Sheriff Carter stated this information is probably out there whether it is through Google Earth or some other web service that can provide the same data. Stout reported the requests for this data is increasing; he has not been able to find any county in Indiana that their web site does not allow it. Altman stated this is a privacy issue and would like to take the requests separately. Holt stated he does not like any of them and he has voted against them in the past. Holt questioned the Assessor's sketch due to security reasons. Stout replied the sketch is not a floor plan, it is exterior dimensions only, it does not show the location of windows or doors. Ms. Robin Ward explained that the sketch and data listed is exterior measurements only and the abbreviations are describing the building material, not the actual room ie: Mas=masonry, Conc=concrete, etc. Dillinger asked Ward what her opinion is? Ward replied this is a good idea; they receive a lot of taxpayer phone calls that the web site dimensions don't match their home, she will e-mail the property record card to the taxpayer and then they will go over the sketch together. This would save time and money for the taxpayer and the Assessors.

1. Search for parcels by owners name – Dillinger moved to approve. No second. Motion failed due to lack of a second.
2. Display the Assessor's sketch – Altman moved to approve. Holt seconded. Motion carried unanimously.
3. Display sales disclosures – Dillinger moved to approve. No second. Motion failed due to lack of a second.

WELLNESS EVENT

Express Temporary Agency Agreement

Ms. Sheena Randall requested approval of an agreement with Express Employment Professionals to provide temporary staff members to work the Wellness Event at a charge of \$12.00/hour. These individuals would help Randall set up, set up the food, refill drinks, take out trash, run games and help tear down in the evening. Altman moved to approve. Holt seconded. Motion carried unanimously.

Flagstar Sponsorship Agreement

Randall reported Flagstar Bank has requested approval of a sponsorship agreement which would allow them to set up a booth at the Wellness Event to pass out their literature. Altman stated her preference would be to not start this practice. Randall stated M&I Bank is one of the primary sponsors, they gave a \$1,000 donation. Altman stated she thought we were looking at several different vendors that wanted to solicit our employees. Randall stated Eli Lilly and Forum Credit Union presented a listing of items they would provide to our employees and in working with Dan Stevens and Commissioner Dillinger M&I Bank would match all of the services they had offered in addition they would go above and beyond on interest rates and loans. Altman stated that has not come back before the Board. Randall replied correct, she is providing an update. Flagstar was not willing to implement a program with the county as we looked at with Forum, they just want a booth at the Wellness Event. Altman asked if this is the county form? Randall replied no. Altman stated she objects to the form. Holt stated he thought any vendor was allowed into the event as long as the business is legitimate. Randall stated they have not had a litany of banks because we have always used M&I Bank.

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Castleton Boot Camp

Randall informed the Commissioners that Castleton Boot Camp has requested to participate in the Wellness Event with a one hour class and asked the Commissioners for their approval. Holt asked if all of the participants are signing an agreement? Randall stated they would sign the same forms all of our participants sign. Altman stated these people are more active and she is more concerned about having a safe program. Randall stated the Castleton Boot Camp would have the employee sign off on a statement saying they would not hold Hamilton County and Castleton Boot Camp responsible if they were injured. Holt stated there could still be workers comp issues. Randall stated they would have an enrollment and then they would base the program on the level of experience of the participants. Holt moved to approve. Altman seconded. Motion carried unanimously.

Blood Draws

Randall reported last year we required everyone to have a blood draw either at a county facility, Sheriff's Wellness Program or the employee's own vendor. If the employee uses their own vendor they have to have the blood draw three (3) months prior to the Wellness Event. Randall asked for validation that this is the directive from the Commissioners for this year. The Health Risk Assessment would be taken from September 1, 2010 through December 31, 2010 online with Meritain. If the employee does not complete the blood draw and Health Risk Assessment they will be charged an additional \$10.00 per pay (\$260.00/year) on their health insurance premium beginning the first pay that includes April 1, 2011. Altman moved effective January 1, 2011, to increase the premiums by \$10.00 per month unless the employee goes through this assessment process, so the employee receives a discount. Randall stated we increase the premium at the beginning of the plan year, April 1st, to help the Auditor's Payroll Department; the end of the year is very busy with year-end requirements. Altman stated she does not care when, if we need to adjust premiums we adjust premiums and if we have a rational basis that this will help keep costs down then we should give people a discount. Holt seconded. Dillinger asked Randall to make sure everyone understands it this way. Randall stated she will send out an e-mail to everyone explaining it. Motion carried unanimously.

Holt stated this is a long time between August and when the discount is received; is August the last date to have the blood draw? Randall stated we have onsite nurses during the month of August for the blood draw. Employees can go to Riverview Hospital for free anytime. For the month of August Riverview only charges Hamilton County \$17.00 per blood draw instead of the normal \$300. The blood draw and health risk assessment has to be completed by December 31, 2010. If they have had a blood draw three months prior to the event, those results would also be accepted. Altman asked if we should have another blood draw opportunity in December? Holt stated we should or it will cost us a fortune. Altman stated she would limit the discount for the August program or if we set up another specific time period. Randall stated she will ask Riverview if they are willing to do that. Holt asked if we can make the effectiveness of this motion contingent on that? Altman stated she would accept that amendment. Altman would prefer one week in December. Holt recommended asking for all of December and letting Riverview pare it down. Altman stated she does not want to make this contingent on another blood draw, she would like to discuss another opportunity in December but her intent was to limit it to the August event.

Overtime Ordinance

Randall reported the ordinance amending overtime was tabled by the County Council; they questioned starting the \$5,000 cap this year. Coverdale stated she does not recall how the Council wanted to proceed; they thought the cap would begin January 1, 2011. Altman asked who is going to address this with the Council? Dillinger replied the Commissioners passed the Ordinance. Coverdale stated it also takes the Council to pass an amendment to the Personnel Policy. Dillinger informed Howard that the Commissioner's position is they want the \$5,000 cap on the overtime and they will not pay any claims over \$5,000 until the end of the year. Howard stated the Personnel Policy and amendments are part of the salary ordinance and the Council has to approve it. Altman stated it seems we have a built in conflict between the two bodies and asked Howard to review the situation. Coverdale reported there was a motion and it was tabled. Stevens stated there was confusion on when the cap begins. Sheriff Carter stated it was indicated this discussion should be held with the Commissioners in a joint meeting. Coverdale stated there was a motion to approve and seconded for discussion and then the motion was tabled.

Part Time Jail Employees

Randall reported we do have conditional Offer of Employment templates for part time employees. She is working with Captain Moore and Major Bowen on job descriptions for the part time employees at the Jail. Randall stated she has spoken with Kent Irwin and when discussing differences in part time and full time job tasks between corrections officers and dispatch. Major Bowen has indicated there are not a lot of differences. The part time employees work 12 hour shifts so if those part time individuals could work three (3) days a week that would be 36 hours per week. Randall suggested an amendment to the Personnel Policy allowing them to work 36 hours per week and then set a cap for the annual to be more than 12 weeks, Irwin suggested 30 weeks per year.

Howard stated at the last meeting we discussed if part time employees and full time employees are performing the same acts then is there a problem under Fair Labor Standards Act and the answer is no. Kent Irwin said it is all indexed to the job description that the employee signed. If they agree to be part time they are part time and they are without benefits. It is contractual. The next issue is our policy limits part time to 30 hours per week and 12 weeks per year. Howard asked Irwin if we amended that to make part time more inclusive (ex: 52 weeks per year at 35 hours per week) would that be a problem and Irwin stated no as long as they sign off on the job description they have waived their equal pay argument to full time and part time. Altman asked if our policy should state full time are those who have accepted employment as full time employees and part time are those who have accepted employment as part time employees and

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get rid of the hours? Howard stated that would cure everything. Randall stated that was not Irwin's conversation with she and Bowen. Randall recommended she, Irwin and Howard meet.

Dillinger left the meeting.

Medicare Subsidy

Randall stated she received notification from Nyhart, who processes the county's Medicare Subsidy, and the county will be receiving \$44,000 back and requested authorization for Nyhart to finish this task. Holt so moved. Altman seconded. Motion carried unanimously.

VOTING SYSTEM REIMBURSEMENT

Voting System Reimbursement Application

Ms. Kathy Richardson requested approval on an application for reimbursement of the voting equipment. When the Help America Vote Act of 2009 came into effect Hamilton County had already gone to an electronic system. The punch card counties received full reimbursement but those that moved ahead did not receive reimbursement. The funds have been put into a pot called Super Responsible Counties, which Hamilton County falls in to. Hamilton County's amount of the application is \$269,000. The reimbursement will go into a non-reverting fund for the purpose and use of future voting equipment. Richardson requested signatures authorizing Peggy Beaver, Clerk of the Circuit Court, to sign the application and Commissioner signatures on a Resolution stating our precincts are handicap accessible, which we do every year. Holt moved to approve. Altman seconded. Motion carried unanimously.

UNSAFE STRUCTURE

22634 Craig Avenue Unsafe Structure

Mr. Chuck Kiphart reported the unsafe structure located at 22634 Craig Avenue, Noblesville, has been locked shut, the windows boarded over, the mini barn has been locked and the tires have all been removed and the lot has been mowed. It is in very good shape.

96th Street Unsafe Structure

Kiphart reported the property on 96th Street has been cleaned up, all structures have been removed and bulldozed flat and the owner has received a permit from the Town of Fishers to build a new home.

IMI REZONE

Ordinance 08-09-10-A, Amending the Hamilton County Zoning Ordinance

Kiphart requested approval of Ordinance 08-09-10-A, An Ordinance to Amend the Hamilton County Zoning Ordinance, A part of the Master Plan of Hamilton County, Indiana. The original ordinance came before the Commissioners July 27, 2009 to rezone IMI with the Commissioners waiting on covenants to be prepared by Gordon Byers. Kiphart and Howard have reviewed the covenants and have verified they meet what was discussed and agreed to by the Commissioners and Mr. Byers. Holt moved to approve Ordinance 08-09-10-A. Altman seconded. Motion carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG Consolidated Plan and FY10 Action Plan

Mr. Mark McConaghy requested approval of the Community Development Block Grant (CDBG) Consolidated Plan and FY10 Action Plan. McConaghy reported no comments were received during the 30 day comment period.

Neighborhood Stabilization Program (NSP) Amendment

The second amendment to the NSP will direct remaining NSP funds from the down payment assistance program that must be completed by September 2010 per HUD regulations into rehabilitation of 304 and 347 South 8th Street, Noblesville into 9 units of affordable rental housing and office space.

City of Noblesville Subrecipient Agreement

City of Noblesville selected CC&T Construction Company as the low bidder to replace curb and sidewalk ramps in the amount of \$127,646 and has requested approval of the Subrecipient Agreement.

106 Review Letter for 304 S. 8th Street

Section 106 Review Letter amending an earlier letter to the Indiana State Historic Preservation Officer regarding work to be completed on 304 S. 8th Street in conjunction with the NSP.

Holt moved to approve all four (4) items. Altman seconded. Motion carried unanimously.

Altman asked if the Neighborhood Stabilization Program (NSP) Amendment is for any age person? McConaghy stated it is for any age person based on income. Altman asked if the rehabilitation and resale be limited to not for profit groups? McConaghy replied there are three activities with NSP: 1) down payment assistance; 2) rehabilitation and resale pertains to 304 S. 8th Street, Noblesville will be developed into five (5) units of affordable housing and then sold; 3) redevelopment is for 347 S. 8th Street, Noblesville. HUD (Housing and Urban Development) stipulated the names on

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the projects. Altman asked if there is more money for any other locations? McConaghy replied no. Altman asked if there is any unspent money available that can be allocated to any other groups? McConaghy stated it is possible they will receive additional monies throughout the year that could be moved around, the only caveat is if it is a public service they have to stay within the 15% of total funding cap. Altman stated Promising Futures has a program with pregnant teenage mothers and they have allocated specific beds for State use and the State in their budget cuts is not sending ladies to the program and they have a large waiting list that they can not fund because they were counting on State revenue to underwrite that program. McConaghy stated homeless youth (under 18) is specifically excluded from CDBG funding.

COMMISSIONER COMMITTEE REPORTS

Web Committee

Altman reported that if the Commissioners want new pictures for the county web site will have to be arranged through Diana Cleland.

ATTORNEY

Ordinance 07-26-10-A, Recovery Zone Volume Cap

Howard presented Ordinance 07-26-10-A, An Ordinance Amending Ordinance No. 3-22-10-G, Exercising the Home Rule Powers of Hamilton County, Indiana and Other Matters Connected Therewith (Recovery Zone Volume Cap) for second reading. Jeff Burt, Hamilton County Alliance, sent out a memo to all of the taxing units and economic development directors within Hamilton County and we received a response from the Town of Fishers that they are anticipating a need for \$5 million. This will release \$9.9 million to the State. Holt moved to amend Ordinance 07-26-10-A. Altman seconded. Motion carried unanimously. Holt moved to approve the amended ordinance to an amount of \$9.9 million. Altman seconded. Motion carried unanimously.

Liability Trust Claim

Howard requested approval of a Liability Trust Claim payable to Howard & Associates in the amount of \$9,061.50. Holt moved to approve. Altman seconded. Motion carried unanimously.

DIRECTOR OF ADMINISTRATION

Release of Retainage Letters

Mr. Dan Stevens requested approval of the Release of Retainage Funds for Calumet Asphalt Paving Company, Inc. in the amount of \$9,670.61 and Keusch Glass, Inc. in the amount of \$10,687. Holt moved to approve. Altman seconded. Motion carried unanimously.

United Way Campaign

Stevens requested permission for the United Way to hold their annual campaign kick-off event on the courthouse square on August 27, 2010 at 8:00 a.m. and to display their progress meter on the northwest corner of the square. Holt moved to approve. Altman seconded. Motion carried unanimously.

Carmel Plan Commission Appointment

Altman moved to appoint Steve Lawson to serve on the Carmel Plan Commission as the Democrat appointment. Holt seconded. Motion carried unanimously.

Security Work in Historic Courthouse

Stevens requested clarification and approval of Envoy, Inc. being involved in the additional security work for the Historic Courthouse and Judicial Center (security kiosk and building pressurization). There are funds available from 2009 encumbered funds for the additional work. Holt moved to have Envoy's continued involvement in these two projects. Altman seconded. Motion carried unanimously.

Coverdale asked if these encumbered funds are being used for the projects they were encumbered for? If there is money left and it is not being used for the requested projects the funds would have to be re-appropriated in order to use them for the additional projects. Stevens stated the money was set aside for Envoy from the original project rather than managing a couple of items, they will be managing two different items but it was money set aside to manage courthouse improvements.

Service Animals in Building

Stevens reported there has been an issue of a dog being brought into the Judicial Center and the dog was not clearly marked as a service animal. Security has asked for clarification regarding bringing dogs into the building. Dan Papineau researched the American with Disabilities Act and how service dogs fall into that coverage. The security staff now knows what they can or can not ask regarding the animal. The dogs should be allowed into the building. Altman asked if the dog should have a vest or some identification stating it is a service animal? Stevens replied it should have that identification but by law we are not allowed to inquire in depth as to what kind of disability the person has. Altman stated as long as the dog has a vest on we know it is a service dog, if it does not have the vest or identification or paperwork the dog is not allowed in the building. Stevens replied if the person with the disability says it is a service dog we should let the animal in the building, even if it not identified. Holt stated the paperwork presented by Dan

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Papineau from the U.S. Department of Justice does not say anything about the dog having to be marked. Altman asked that Mike Howard research the law. Stevens proposed that this particular dog be allowed into the building as the owner is scheduled for a bench trial in the near future. The Commissioners concurred.

Property Appraisals

Stevens reported the appraisals of county properties has been completed with the original appraisal submitted to the Auditor and a copy sent to the County Attorney.

Dora Street, Arcadia

Mr. Brad Davis stated Maurice St. Louis of the Arcadia Town Board has asked about the ownership of Dora Street in Arcadia. The highway staff has researched it and it is not a recorded county road. Mr. Tim Knapp stated there is a platted right of way but the road itself is not a county road nor is it in county inventory. Part of the road feeds into the Hamilton Heights school parking lot. Altman confirmed that this is a school access road? Knapp stated yes, it has never been accepted into county inventory. Knapp has spoken to Mark Fisher who is in charge of resurfacing and in his 15 years with the county he has never done anything to this road. Bob Davis, Road Superintendent, who has been with the county 22 years tried to plow it one time and was told to stay off the road so the county has never plowed it again. Bob Davis did not remember who told him to not plow it. Altman asked if this is incorporated into the town? Knapp replied no. Arcadia does not have any money to repair the road. Brad Davis stated the road is not in good shape, it has been chip sealed in the past. Stevens stated the Town was trying to help the school by repairing the road but neither they nor the school has money to fix the road. Altman stated it is not in our inventory, it is not our road. Knapp stated there is public right of way so the question is if this is a public road because it is between public right of way. Holt stated if it is public right of way and been a roadway forever it should be the county's responsibility; it is clearly not in the town. Altman asked if Holt is talking about the area just to the school parking lot? Holt stated yes. Altman asked if there are any street signs on the road? Knapp stated no. Altman asked if this is used as a public road? Holt stated yes, it is used constantly, especially for football games and to get to the middle school. Altman stated she does not have a problem taking care of it to the parking lot but not the school property. Holt moved to put it into our inventory and take the appropriate steps to make it reasonably passable. Brad Davis stated we will pave it. Altman seconded Motion carried unanimously. Holt asked Knapp if he spoken with Al Patterson, the Arcadia Pool was near this location and he is wondering if there is something in the Park's paperwork on who takes responsibility for the road. Knapp will speak with Patterson.

Delaware Assessor Claim

Stevens reported a questionable claim was submitted by Marilyn Schenkel, Delaware Township Assessor's office for purchase of mosquito spray, sun tan lotion and bottled water for the field assessors. Ms. Schenkel's explanation is that they are working on the 2012 reassessment with physical visits to all the properties in Fall Creek and Delaware Townships. She purchased these items in order to lessen the County's liability and loss of time on the job due to sun poisoning, sunburn bug bites and dehydration. The field appraisers are in the field from 9:00 a.m. to 4:00 p.m. every day. Altman asked if the highway staff is provided bug spray? Davis reported yes. Altman asked if we give them sun tan lotion? Davis stated he was not sure; they do supply water in 5 gallon coolers. Holt moved to table and asked Stevens to contact other county departments to see how they are handling these issues. Altman seconded. Motion carried unanimously.

Emergency Management Ordinance

Stevens reported Darren Murphy is working on updating the Emergency Management Ordinance.

Web Address Decals

Stevens reported the estimate to replace the county web address vehicle decals is \$160 for highway vehicles; the Surveyor may spend \$20.00. Stevens stated it sounds as if the departments are changing the decals and the Sheriff's department does not have the web address on their vehicles. Holt moved to approve. Altman seconded. Motion carried unanimously.

Employee's Delinquent Property Tax Payments

Stevens presented the list of county employees with delinquent property taxes and requested the Commissioners set a deadline for payment or the employee's pay will be garnished. Stevens stated in the past the payment was due 30 days from the date of the receipt of the letter. Holt moved to approve. Altman seconded. Motion carried unanimously.

Steven's Vacation

Steven's reported he will be on vacation from August 11 to 20, 2010 returning August 23, 2010.

DRAIN RECONSTRUCTION BILLS

Drain Reconstruction Bills

Howard reported the Drain Reconstruction bills are sent out as a separate bill, we do not believe there is anything in the drainage code which would allow us to collect one bill; he does know the language is in the property tax statute that if the bill is less than "x" you can send the bill out. Howard requested the authority to research that and put together the Order for the next Drainage Board meeting placing that minimum in the Order. Altman and Holt agreed.

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
AUGUST 9, 2010
Commissioners Courtroom
Hamilton County Government and Judicial Center
One Hamilton County Square
Noblesville, Indiana

AUDITOR

Fees for Prevail’s Protection Order Program

Ms. Dawn Coverdale reported she has checked with the Clerk and Prosecutor’s office to see if they have fees available to be used to pay for Prevail’s Protection Order Program but no one has any money. Holt stated this had to do with checking with the Alcohol and Tobacco Prevention Program, this is a specific court fee. Coverdale will check with George Kristo. Altman stated this will be Council’s decision when they appropriate the money.

Clerk’s Monthly Report

Holt moved to accept the Monthly Report of the Clerk of the Circuit Court dated June 30, 2010. Altman seconded. Motion carried unanimously.

Liability Trust Claim

Coverdale requested approval of a Liability Trust Claim in the amount of \$1,280.00 paid to Walker & Associates. Altman moved to approve. Holt seconded. Motion carried unanimously.

Payroll Claims

Holt moved to approve Payroll Claims for the period of July 12-25, 2010 paid August 6, 2010. Altman seconded. Motion carried unanimously.

Vendor Claims

Holt moved to approve Vendor Claims to be paid August 10, 2010. Altman seconded. Motion carried unanimously.

Holt moved to adjourn. Altman seconded. Motion carried unanimously.

Commissioners Correspondence

- HUD Notice of FY 2010 Monitoring Schedule for Neighborhood Stabilization Grant
- IDEM Notice of Sewer Permit Application
 - Crooked Stick Estates East Low Pressure Grinder Pump System - Carmel
- IDEM Pollutant-Bearing Water Land Application Permit
 - Verizon Wireless Music Center – Noblesville
- IDEM Sanitary Sewer Construction Permit Application
 - Deer Path, Section 11 – Noblesville
 - The Ridge, Section 2B – Noblesville

Present

- Christine Altman, Commissioner
- Steven C. Dillinger, Commissioner
- Steven A. Holt, Commissioner
- Dawn Coverdale, Auditor
- Dan Stevens, Administrative Assistant to Commissioners
- Kim Rauch, Administrative Assistant to Auditor
- Michael Howard, Attorney
- Doug Carter, Sheriff
- Brad Davis, Highway Director
- Jim Neal, County Highway Engineer
- Joel Thurman, Highway Project Engineer
- Brandi Wariner, Highway Public Service Representative
- Dave Lucas, Highway Staff Engineer
- Christopher Burt, Highway Engineering Technician
- Tim Knapp, Highway Right-of-Way Manager
- Matt Knight, Highway Bridge Program Engineer
- Kathy Howard, Highway Department Administrative Manager
- Bob Davis, Highway Superintendent
- Ken Brewer, WISH-TV Weather Station
- David Bice, EMA
- Becki Wise, USI
- Larry Stout, ISSD
- Chris Mertens, ISSD
- Sheena Randall, Human Resources
- Kathy Richardson, Voter’s
- Chuck Kiphart, Plan Commission
- Mark McConaghy, Noblesville Housing Authority

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Dawn Coverdale, Auditor